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COMMISSION

February 23, 2010

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Thomasenia Duncan, Esquire
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

OFFICE OF GENERAL
COUNSEL

Re: Philip Liberatore and Liberatore for Congress Committee

MUR # 6258

Dear Ms. Duncan:

Pursuant to 2 USC § 437g(a)(1) and 11 CFR § 111.4, please accept this letter as a Complaint against Philip Liberatore (Liberatore) and Liberatore for Congress Committee ("the Committee") for operating in violation of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Federal Election Commission ("FEC" or "Commission") regulations and, more specifically, for violation of the reporting requirements set forth in 11 CFR § 102.1(a).

I. Facts

Liberatore for Congress Committee is the principal campaign committee for Philip Liberatore, a candidate for the United States House of Representatives, campaigning to represent California's 42th Congressional District. The Committee's FEC Form 1 Statement of Organization was filed with the FEC on January 15, 2010. Liberatore's FEC Form 2 Statement of Candidacy was filed with the FEC on December 10, 2009.

II. Relevant Law

An individual becomes a candidate and triggers registration and reporting responsibilities under the Act when campaign activity exceeds \$5,000 in either contributions or expenditures. 2 USC § 431(2). A candidate must file an FEC Form 2 Statement of Candidacy within 15 days of becoming a candidate. 2 USC § 432(e)(1), 11 CFR § 101.1(a). Within 10 days after filing an FEC Form 2, the principal campaign committee must file an FEC Form 1 Statement of Organization with the Commission. 11 CFR § 102.1(a).

III. Legal Analysis

Liberatore filed his FEC Form 2 Statement of Candidacy on December 10, 2009. According to the Commission's regulations, the FEC Form 1 Statement of Organization should have been filed by the Committee within 10 days of December 10, 2009. In other words, the FEC Form 1 should have been filed on or before December 20, 2009. Yet, the Committee's FEC Form 1 was not filed until January 15, 2010, nearly a month after it was required to be filed. The Committee has plainly violated FEC regulations by disregarding the filing deadlines set forth by the Commission.

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IV. Conclusion

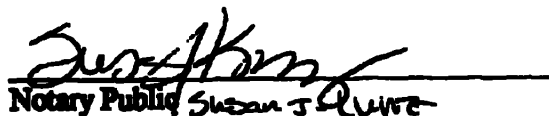
Upon information and belief, and based upon the facts relayed herein, Philip Liberatore and Liberatore for Congress Committee have violated the Federal Election Campaign Act of 1971, as amended, and Federal Election Commission Regulations. Accordingly, we respectfully request that the Commission conduct an immediate investigation into the violations outlined above and impose the maximum penalty under law.

The foregoing is correct and accurate to the best of my knowledge, information and belief.

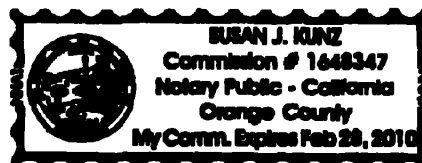
Respectfully submitted,



Sworn to and subscribed before me this 25 day of February, 2010.


Notary Public Susan J. Kunz

My Commission Expires: 02/28/2010



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